

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

I & CAD Department - Regularization of services of Sri P. Simhachalam, NMR Rigger & 3 others, O/o Maintenance Subdivision, Visakhapatnam under the control of General Superintendent, PWD Work Shop Division, Seethanagaram, in terms of G.O. Ms. No. 212, Finance & Planning (FW. PC. III) Department, Dt. 22-4-1994 - Orders -Issued.

IRRIGATION & COMMAND AREA DEVELOPMENT (Ser. V) DEPARTMENT.

G.O. Ms. No. 39

Dated: 6 -3-2009.

Read the following:-

- 1) From the A.P.A.T. Order dt. 21-4-98 in O.A. No. 2393/98.
- 2) From the Hon'ble High Court of A.P. Order dt. 12-11-2007 in W.P. No. 33047/1998
- 3) From the Commissioner for Planning & Development of Godavari Basin, Hyderabad, Lr. No. C3/3594/08, dt. 17-12-08.
- 4) From the Engineer-in-Chief (IW), I & CAD Department, Hyderabad, Lr. No. ENC/IW/P&M/EE.III/W2/4853/2008, dt. 18-12-2008.
- 5) From the Dist. Collector, Srikakulam Lr.No. 307/2008/A3, Dt. 9-2-09
- 6) From the Superintending Engineer, M & W Circle, Hyderabad Lr. No Estt. /EC.4/CA. 722/08 in O.A. 2393/98/98, dt. 20-2-09.
- 7) Govt. FAX Memo. No. 32562/Ser. V(3)/2008-2, Dt. 4-3-09.
- 8) From the District Collector, Srikakulam, Rc. No. 307/2008/A3, dt. 5-3-2009

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ORDER:-

In the reference 4th read above, the Engineer-in-Chief (IW) has stated that the Superintending Engineer, M & W Circle, Hyderabad in his letter dt. 6-12-2008 has submitted proposals in respect of 4 NMRs. mentioned therein for regularization of services duly converting them into Work Charged Establishment as per orders of Hon'ble A.P.A.T. and Hon'ble High Court. Sri P. Simhachalam, NMR Rigger & 3 others were reinstated into service in the Department as per orders of Hon'ble Labour Court vide I.D. No. 120/1988 & 354/1988 during the year 1990 after removal from service. Sri P. Simhachalam, NMR Rigger & 3 others have filed O.A. No. 2393/98 in Hon'ble A.P.A.T. for regularization of their services in terms of G.O. Ms. No. 212, F & P Dt. 22-4-94. The Hon'ble A.P.A.T. in its orders dt. 21-4-1998 directed the respondents to consider the claim of the applications for regularization of their services in terms of the decision of High Court in W.P. Nos. 18572/95 and 29343/95 and if the applicants are otherwise eligible for regularization as per G.O. Ms. No. 212 dt. 22-4-94 and pass appropriate orders within three months. It was further directed to continue the applicants on the same terms and conditions in the present vacancies. Aggrieved by the orders of A.P.A.T., the Department filed W.P. No. 33047/98 in the Hon'ble High Court. The Hon'ble High Court in its order dt. 12-11-2007 dismissed the W.P. No. 33047/98. It was also stated that the applicants had submitted representation to implement the orders of Hon'ble A.P.A.T. filed in O.A. NO. 2393/98 and the orders of Hon'ble A.P. High Court filed by the Department in W.P. No. 33047/98, and that they were seeking regularization of their services in terms of G.O. Ms. No. 212, dt 22-4-94. Earlier, Sri V. Dallaih, NMR of Maintenance of Sub-division, Visakhapatnam was absorbed as Watchman in

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Work Charged Establishment as per orders of the Govt. vide Memo. No. 41821/Ser. V(1)/97-10, dt. 30-8-2007 based on the Contempt Application No. 489/98 filed by Sri V. Dallaiah, NMR on the orders of Hon'ble High Court. The case of Sri P. Simhachalam, NMR and 3 others who are seeking regularization of their services in terms of G.O. Ms. No. 212, dt. 22-4-94 is similar to that of Sri V. Dallaiah, NMR. On the recommendations of Superintending Engineer and as per the orders of Hon'ble A.P.A.T. & High Court, the Engineer-in-Chief (IW) has submitted the proposal in respect of Sri P. Simhachalam, NMR & 3 others for regularization of their services duly converting them into Work Charged Establishment and requested the Government to obtain and communicate the necessary orders to avoid further legal complications in the matter.

2. In the references 5th & 8th read above, the Collector, Srikakulam has furnished the vacancy position of Office Subordinates (Attenders) and Watchman Scavenger, Cook-cum-Supplier, Cleaner cum Sweeper along with roster points in Srikakulam District.

3. After careful examination of the matter, Government hereby directs the Collector & District Magistrate, Srikakulam to regularize the services of the applicants in O.A.No.2393/1998 viz: Sri Sanyasi Rao, NMR Welder as Office Subordinate (Attender) against the vacancy furnished in the reference 5th read above and Sri M. Linga Murthy, Sri P. Simhachalam, Sri D. Adinarayana, NMR Riggers, who are working in Maintenance Sub Division, Vakhapatnam under the control of General Superintendent, PWD Work Shop Division, Seethanagaram, against the posts under Last Grade Services mentioned in reference 8th read above in terms of G.O.Ms.No.212, Finance (PC.III) Department, dated 22-4-1994 from the prospective date i.e. from the date of issue of orders by him.

4. The District Collector, Srikakulam shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S. P. TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Collector & District Magistrate, Srikakulam District, Srikakulam.
Copy to: The Engineer-in-Chief (IW), I & CAD Department,
The Commissioner for Planning & Development of Godavari Basin,
Jalsoudha Buildings, Errammanzil, Hyderabad.
The Superintending Engineer, M & W Circle, Red Hills, Hyderabad.
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// FORWARDED :: BY ORDER //

SECTION OFFIER.